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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

and

ADRIAN SCOTT DUANE,

Plaintiff-Intervenor,

vs.

IXL LEARNING, INC.,

Defendant.

Case No.: 3:17-cv-02979-VC

**POST-TRIAL JOINT CASE
MANAGEMENT STATEMENT**

Date: November 27, 2018

Time: 1:30 PM

Judge: Honorable Vince Chhabria

The parties to the above-entitled action jointly submit this JOINT CASE
MANAGEMENT STATEMENT pursuant to this Court's Text Order dated November 6, 2018

(ECF No. 152) and Civil Local Rule 16-10(d).

1. FACTS/PROCEDURAL STATUS

Plaintiff EEOC and Plaintiff-Intervenor Adrian Scott Duane brought a retaliation claim under Title VII and the ADA against Defendant IXL Learning, Inc. The claims were tried to a jury. The jury returned a defense verdict on October 29, 2018. This Court noticed a further Case Management Conference for November 27, 2018 and ordered that the parties file this Case Management Statement by November 20, 2018. (ECF No. 152). On November 20, 2018, Defendant requested to appear at the Case Management Conference by telephone, per ¶ 18 of Judge Chhabria's Civil Standing Order.

2. MOTIONS

Defendant filed a Bill of Costs on November 13, 2018. Plaintiffs' objections are due by November 27, 2018. (ECF No. 155)

The plaintiffs continue to evaluate whether to pursue a motion for a new trial pursuant to Fed. R. Civ. P. 59(a) and/or whether they intend to appeal the jury verdict.

DATED: November 20, 2018

US EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION

By: /s/ Ami Sanghvi
AMI SANGHVI

DATED: November 20, 2018

THE MAREK LAW FIRM, INC.

By: /s/ David Marek
DAVID MAREK

DATED: November 20, 2018

YOUNG BASILE HANLON & MACFARLANE

By: /s/ Jeffrey D. Wilson
JEFFREY D. WILSON

LOCAL RULE 5-1(i)(3) ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3), I hereby attest that concurrence in the filing of this document has been obtained from David Marek and Jeffrey Wilson.

Date: November 20, 2018

/s/ Ami Sanghvi
AMI SANGHVI